

REMARKS/ARGUMENTS

In response to the Office Action dated March 26, 2003, Applicants have amended the independent claims to more clearly define embodiments consistent with the present invention. Claims 1-48 are pending. Reconsideration and allowance of all pending claims are respectfully requested.

Claims 1-48 were rejected under 35 U.S.C. § 103 as having been obvious over U.S. Patent No. 6,270,012 (Dawson patent) and U.S. Patent No. 6,363,351 (Moro patent). Claim 43 was rejected under 35 U.S.C. § 103 as having been obvious over the Dawson patent, the Moro patent, and U.S. Patent No. 6,233,608 (Laursen patent). Applicants traverse these rejections.

Independent claims 1, 11, 16, 23, 27, 30, 35, and 45 have each been amended to recite the use of personal information to assist in identifying a consumer or cardholder. The personal information, as recited in claims 1, 11, 16, 23, 27, 30, 35, and 45, is different from the predetermined card or device information. The system and method can, for example, prompt the consumer with identifiers to obtain the personal information. (See Specification, p. 10, para. 33.)

Applicants respectfully submit that the Dawson and Moro patents do not disclose or suggest this combination of features in determining whether to activate a card or other financial instrument. In particular, the invention of the Dawson patent makes use of a card identification number and a personal identification number (PIN), together representing predetermined card information. The invention of the Moro patent makes use of registration information, analogous to predetermined card information. The Laursen patent was cited for activation of a cellular phone, and its invention makes use of account information, also analogous to predetermined card information.

In contrast, the present invention, as defined in claims 1, 11, 16, 23, 27, 30, 35, and 45, makes use of personal information in addition to and different from the card information. Embodiments of the present invention thus provide for a more robust and secure system by using additional types of information, namely the personal information, to authenticate a consumer or cardholder, examples of which are provided in the present

specification. Applicants respectfully submit that the Dawson and Moro patents do not disclose or suggest the use of personal information different from card information.

Therefore, Applicants respectfully submit that the applied references do not disclose or suggest all features of claims 1, 11, 16, 23, 27, 30, 35, and 45, and that they are patentable over the applied references.

Claims 2-10, 12-15, 17-22, 24-26, 28-29, 31-34, 36-44, and 46-48 depend from, respectively, independent claims 11, 16, 23, 27, 30, 35, and 45, and they are thus patentable for at least the reasons provided above with respect to claims 11, 16, 23, 27, 30, 35, and 45.

In view of the amendments and remarks provided above, Applicants respectfully request reconsideration and allowance of all pending claims.

Respectfully submitted,

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Lance L. Vietzke, Reg. No. 36,708
Snell & Wilmer LLP
One Arizona Center
400 East Van Buren
Phoenix, AZ 85004-2202
(303) 634-2017
USPTO Customer No. 20322

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